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ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON VA 22209-9889

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OFFICE OF PETITIONS

In re Application of :
Wada, Oroku, and Maki :
Application No. 10/812,869 : DECISION ACCORDING STATUS :
Filed: 31 March, 2004 : UNDER 37 CFR 1.47(a)
Attorney Docket No. 501.43640X00 :

This is in response to the petition filed under 37 CFR 1.47(a) on 14 September, 2004.

The petition is **GRANTED**.

The above-identified application was filed on 31 March, 2004, without an executed oath or declaration.

Accordingly, on 14 June, 2004, Initial Patent Examination Division mailed a Notice to File Missing Parts of Nonprovisional Application, requiring an executed oath or declaration and a surcharge for its late filing.

In response, on 14 September, 2004, the present petition was filed, along with a one (1) month extension of time and a declaration naming Takashi Wada, Noriyuki Oroku, and Hiroshi Maki as joint inventors and signed by joint inventors Oroku and Maki on behalf of themselves and non-signing joint inventor Wada.

Petitioners have shown that the non-signing inventor cannot be found. Specifically, petitioners have shown, via the declaration of Yoshitsugu Harada, that a copy of the application was sent to non-signing joint inventor Wada at his last known address and at his parents' address. Petitioners have enclosed copies of the envelopes showing that the applications were returned as undeliverable by the Japan post office. Accordingly, despite diligent efforts, the non-signing inventor could not be located.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition, not the declaration. Notice of the filing of this application will also be published in the Official Gazette.

The application is being referred to Technology Center 2800 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3231.



Douglas I. Wood
Senior Petitions Attorney
Office of Petitions